

(Translation from the Polish language)

FINANCIAL SUPERVISORY COMMISSION

Current report No 34/2012

Date: 13 February 2012

Issuer's shortened name: KOPEX SA

Subject: **Significant agreement of the Issuer's subsidiary**

Legal basis: Law on Offer, Art. 56, Par.1 Item 2 – current and cyclic information

Contents of the report:

The Management Board of KOPEX SA with its registered seat in Katowice (the Issuer) informs that has been aware of receiving on 13 February 2012 by WAMAG SA with its registered seat in Wałbrzych (the Issuer's subsidiary) an agreement signed with Kompania Węglowa SA based in Katowice.

The Parties of the aforementioned agreement dated 17 January 2011 are: WAMAG SA - Lessee and Kompania Węglowa SA – Lessor.

The subject of the agreement is „Lease of a high-duty roadheader.”

Value of the agreement: PLN 5,559,736.00 + VAT

Term of the agreement: the lease period was fixed at 1091 days, with the possibility of shortening by 60 days

Stipulated penalties (according to the Regulation of the Minister of Finance):

Each Party is obliged to pay the other Party stipulated penalties amounting to 10% of the net value of the agreement in case of renouncing the agreement due to the reasons caused by that Party.

The criterion of recognising an agreement as a significant one is exceeding by it of 10% of bounds pertaining to the Issuer's equity capital (the Issuer's equity capital amounts to 1,358,213 thou PLN, in compliance with data included in the published report for the third quarter of 2011) and fulfillment of the criteria set forth in Par.2 Cl.1 Item 44) and Par.2 Cl.2 of Regulation of the Minister of Finance dated 19 February 2009 on current and periodic information (...). In the past 12 months the Issuer's subsidiaries signed with this customer and its subsidiaries agreements amounting altogether to 265,756 thou PLN (including this one). The Issuer informed about the last agreement with this customer in the current report RB 33/2012 dated 10.02.2012. The highest value agreement from among all the agreements signed in the past 12 months is the agreement the Issuer informs about in the current report RB 5/2012 dated 12.01.2012 that also includes information relating to the highest value agreement set forth in Cl.9 Items from 1) to 7) of the Minister of Finance Regulation dated 19 February 2009 on current and periodic information (...).

Legal basis for publishing: Cl.5 Par.1 Item 3 in relation with Cl.2 Par.2 and Cl.9 of the Minister of Finance Regulation dated 19 February 2009 on current and periodic information transmitted by issuers of shares and conditions of recognizing as

equivalent the information required by legal regulations of a country that is not a member country (*Dz.U. z 2009, Nr 33 poz.259 ze zmianami*).